REMARKS

Claims 1 – 18 are pending and under consideration in the above-identified application, Claims 19-79 were previously withdrawn, and Claims 80-83 were previously cancelled.

In the Final Office Action of May 29, 2008, Claims 1-18 were rejected.

In this Amendment, Claims 1 – 6, and 8 -17 are amended and Claims 18 – 79 are cancelled.

Accordingly, Claims 1 – 17 are at issue.

I.   35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 1-18 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Ginter* (U.S. Patent No. 5,892,900) (*"Ginter"*). Applicant respectfully traverses this rejection.

In relevant part, independent claim 1 recites:

"…a first settlement log is issued from a first of the plurality of user devices to one of a service provider and a clearing center every time the content is distributed by the first of the plurality of user devices to a second of the plurality of user devices,

a second settlement log is issued from said second of the plurality of user devices to said first of the plurality of user devices and said first of the plurality of user devices issues said second settlement log to said one of a service provider and a clearing center every time the content is distributed by the second user device, and

a settlement processing for the content is performed based on both the first settlement log and the second settlement log under the management of said one of a service provider and a clearing center."

This is clearly unlike *Ginter*. The Examiner asserts *Ginter* discloses that a second settlement log is issued from the second of the plurality of user devices to the first of the plurality of user devices and the first of the plurality of user devices issues the second settlement log to the one of a service provider and a clearing center every time the content is distributed by the second of the plurality of user devices, and points for support to at least Column 142, lines 35 – 40,

Column 296, lines 19m- 38, Column 141, lines 57 to Column 142, line 40, Column 329, lines 11

– 45 and Figure 79.

However, *Ginter* states in part in the above listed sections that:

"In the preferred embodiment, an administrative object may be sent, for example, by a distributor, client administrator, or, perhaps, a clearinghouse or other financial service provider, to an end user, or, alternatively, for example, by an object creator to a distributor or service clearinghouse. Administrative objects, for example, may increase or otherwise adjust budgets and/or permissions of the receiving VDE node to which the administrative object is being sent. Similarly, administrative objects containing audit information in the data area 878 of an event record 872 can be sent from end users to distributors, and/or clearinghouses and/or client administrators, who might themselves further transmit to object creators or to other participants in the object's chain of handling."

and that:

"Audit information that is destined for different auditors may be encrypted by different one or more encryption keys which have been securely provided by each auditor's VDE node and communicated for inclusion in a user's permissions record(s) as a required step, for example, during object registration. This can provide additional security to further ensure (beyond the use of passwords and/or other identification information and other VDE security features) that an auditor may only access audit information to which he is authorized. In one embodiment, encrypted (and/or unencrypted) "packets" of audit information (for example, in the form of administrative objects) may be bound for different auditors including a clearinghouse and/or content providers and/or other audit information users (including, for example, market analysts and/or list purveyors). The information may pass successively through a single chain of handling, for example, user to clearinghouse to redistributor to distributor to publisher/object creator, as specified by VDE audit control structures and parameters. Alternatively, encrypted (or, normally less preferably, unencrypted) audit packets may be required to be dispersed directly from a user to a plurality of auditors, some one or more who may have the responsibility to "pass along" audit packets to other auditors. In another embodiment, audit information may be passed, for example, to a clearinghouse, which may then redistribute all and/or appropriate subsets of said information (and/or some processed result) to one or more other parties, said redistribution employing VDE secure objects created by said clearinghouse."

See column 142, lines 35 – 40, and column 296, lines 19 – 38.

That is, *Ginter* discloses that administrative objects (settlement log) containing audit

information can be sent from end users to distributors, and/or clearinghouses and/or client administrators, who might themselves further transmit to object creators or to other participants in the object's chain of handling, and that the settlement log may pass successively through a single chain of handling, for example, user to clearinghouse to redistributor to distributor to publisher/object creator, as specified by VDE audit control structures and parameters. Alternatively, encrypted (or, normally less preferably, unencrypted) audit packets may be required to be dispersed directly from a user to a plurality of auditors, some one or more who may have the responsibility to "pass along" audit packets to other auditors.

Therefore, *Ginter* teaches that settlement logs are redistributed through a single chain of handling or further distributed in the settlement log's chain of handling. However, *Ginter* fails to teach or suggest that the first of the plurality of user devices, who initially distributed the content to the second of the plurality of user devices, is the one who issues the second settlement log to the one of a service provider and a clearing center every time the content is distributed by the second of the plurality of user devices, as required by Claim 1.

Thus, Claim 1 is patentable over *Ginter*, as are corresponding dependent claims for at least the same reasons.

Independent Claims 9 and 17, which recite the same distinguishable limitation as that of Claim 1, are also patentable over Ginter, as are their respective dependent claims, for at least the same reasons.

Accordingly, Applicant respectfully request that this claim rejection be withdrawn.

II.   Conclusion

In view of the above amendments and remarks, Applicant submits that Claims 1 – 17 are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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